

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Bertram John Sinclair**

**Docket No. 5:06-CR-220-5BO**

**Petition for Action on Supervised Release**

COMES NOW Jeffrey L. Keller, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Bertram John Sinclair, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute More Than Five Kilograms of Cocaine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 3, 2007, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional condition:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Mr. Sinclair is scheduled to be released from the Bureau of Prisons on August 31, 2012. Inasmuch as Sinclair has no ties to the Eastern District of North Carolina, he has proposed to be released to the District of Arizona where significant family ties exist. However, the District of Arizona will only accept the transfer of Sinclair's supervision if special conditions involving the prohibition of alcohol use and mental health treatment are in place. As it appears to be in our collective best interest to facilitate the acceptance of supervision in Arizona, I have obtained a signed Waiver of Hearing to Modify Conditions of Supervision from the defendant. It is my recommendation that the conditions of supervision be modified as requested by Arizona probation officials and as agreed to by the defendant.

**PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:**

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

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2. The defendant shall participate in a program of mental health treatment, as directed by the probation office, which may include taking prescribed medication. You shall contribute to the cost of treatment in an amount to be determined by the probation officer.

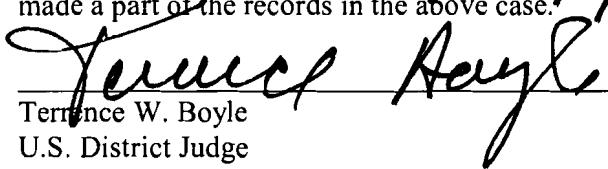
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8660  
Executed On: April 14, 2011

ORDER OF COURT

Considered and ordered this 14 day of April, 2011, and ordered filed and made a part of the records in the above case.

  
Terence W. Boyle  
U.S. District Judge